

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814

October 20, 1998

ALL COUNTY INFORMATION NOTICE I-62-98

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CalWORKs PROGRAM SPECIALISTS
 ALL COUNTY APPEALS SUPERVISORS

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

SUBJECT: MAXIMUM FAMILY GRANT INFORMING REQUIREMENTS IN THE CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM

REFERENCE: ALL COUNTY LETTER (ACL) 96-37, ACL 94-112, ASSEMBLY BILL (AB) 473 (CHAPTER 196, STATUTES OF 1994)

The purpose of this letter is to provide counties with additional information regarding the initial mailing of the Maximum Family Grant (MFG) informing stuffer in July 1996. We are providing this letter at the request of County Welfare Departments (CWDs), and it is intended that the information in this All County Information Notice (ACIN) be used as supportive evidence in state hearings to establish that recipients were appropriately notified of the MFG rules.

As you are aware, Welfare and Institutions Code Section 11450.04 requires that applicants and recipients be informed of the provisions of the law pertaining to MFG prior to application of the rule in computing aid payments for Assistance Units (AUs). ACL 96-37 advised CWDs that in order to implement the notice requirements of AB 473, the California Department of Social Services (CDSS) would mail an informing stuffer, TEMP 2102, to all recipients of Aid to Families with Dependent Children (AFDC) for receipt by July 31, 1996. The TEMP 2102 provided detailed information, in English and Spanish, regarding the MFG rule, implementation date, and circumstances under which an AU would be exempt from the MFG rule.

Following are some specifics regarding the mailing of the MFG informing notice. In order to establish the mailing list for receipt of the stuffer, the CDSS used the Medi-Cal Eligibility Data System (MEDS) to identify active AFDC cases with aid codes of 30/3R (Family Group) and 35/3P (Unemployed Parent) in the month of July 1996. The MEDS listing included the same addresses used for mailing the AFDC warrants for August 1, 1996 to ensure the informing stuffer would reach the recipient. This informing stuffer was mailed to all AFDC recipients during the last week of July 1996, with the last notice being mailed for intended receipt no later than July 31, 1996. A copy of the original Temp 2102 is attached to this ACIN.

Should a question arise regarding whether a particular recipient received the TEMP 2102 during the July 1996 CDSS mailing, information in this ACIN should be used in conjunction with CWD records to establish that proper notification occurred. CWDs must first establish that the client was an active AFDC (aid code 30/35, 3R/3P) recipient in July 1996. The CWD must then show that there were no documented problems with the mailing address during the time of the CDSS mailing and that the recipient received his/her August 1, 1996 warrant.

Once, these facts have been established, if CWDs provide this ACIN and can attest to the linkage between their caseload database and the MEDS database, it should support the contention that if the recipient received their August 1, 1996 warrant, they should also have received the MFG informing stuffer mailed by the CDSS.

If you have any questions regarding the July 1996 mailing of the TEMP 2102 or methodology used to determine the mailing list, you may contact Vince Toolan at (916) 654-1808 or CALNET 464-1808. For questions regarding the MFG rules in the CalWORKs program, please call Cora Myers at (916) 654-2236 or CALNET 464-2236.

Sincerely,
Original Document Signed By
Charr Lee Metsker on 10/20/98
CHARR LEE METSKER, Chief
Employment and Eligibility Branch

Attachments

c: CWDA
CSAC

The Maximum Family Grant (MFG) Rule for Recipients of Cash Aid

The MFG Rule:

Your maximum aid payment (MAP) **will not** go up to include a child born to your family, if your family got cash aid for the 10 months in a row right before the child's birth.

It is very important that you show this notice to any member of your family who could become a parent.

Facts about the MFG rule...

- the MFG rule could apply to any child born after **July 31, 1997**
- if you have another child and have been on cash aid for 10 months in a row just before the birth of that child, you **will not** get a higher MAP when this child is added to your case
- this child will still be eligible for:
 - Medi-Cal
 - Food Stamps
 - other AFDC benefits, such as child care when the parent goes to work
- all child support payments received by the District Attorney's office for this child will be given to your family and will not be counted as income for cash aid
- the MFG Rule will always apply to this child until your entire family has been off cash aid for at least 24 months in a row

Here's how the MFG rule works...

A mother with one child has been on cash aid for more than 10 months in a row. The mother has a child that is added to the case.

The old rule: The MAP for the family goes up.

The MFG rule: The MAP for the family **does not** go up.

MFG rule will not apply...

- if your entire family was off cash aid for at least two months in a row during the 10 months before the birth of this child
- if this child is not living with either parent
- to a child conceived by a non-needy caretaker relative while getting cash aid for another child, such as his/her nephew, niece, or grandchild
- to any child that was conceived because of:
 1. rape or incest:

You must report the rape or incest no later than three months after the birth of the child to a:

- law enforcement agency or
- medical or mental health professional or
- social services agency

In the case of incest, a report need not be made if paternity has been established.

2. the failure of:

- an intrauterine device or Norplant or
- the sterilization of either parent

You must give medical proof of any failure of a listed birth control method.

If you have any questions about the MFG rule, ask your worker.

Are you interested in Family Planning services?

With Family Planning Services, you can...

- prevent unplanned pregnancies
- plan when to have your next child
- choose the birth control method that is best for you

Family Planning Services can give you...

- birth control supplies for women and men
- pregnancy tests
- education/counseling
- and more

You can get Family Planning Services free while on cash aid...

- from your regular Medi-Cal health care plan, doctor, or community clinic
- from other doctors or clinics that accept Medi-Cal

You have the right to go to a doctor or clinic of your choice even if they are not a part of your health care plan.

If you want Family Planning Services...

call your health care plan or regular doctor or for information and the location of confidential Family Planning Services near you, **call toll-free: 1-800-942-1054.**

La regla del pago familiar máximo (MFG) para las personas que reciben asistencia monetaria

La regla del pago familiar máximo:

Su pago máximo de asistencia (MAP) no aumentará para incluir a un niño que nazca en su familia, si su familia ha recibido asistencia monetaria durante cada uno de los 10 meses anteriores al nacimiento del niño.

Es importante que le muestre este aviso a cualquier persona de su familia que pueda convertirse en padre/madre.

Información acerca de la regla del MFG...

- La regla del MFG puede ser pertinente para cualquier niño que nazca después del **31 de julio de 1997**.
- Si usted tiene otro hijo y ha estado recibiendo asistencia monetaria durante cada uno de los 10 meses anteriores al nacimiento de este niño, su MAP no aumentará cuando este niño se incluya en su caso.
- El niño todavía podrá recibir:
 - Medi-Cal
 - estampillas para comida
 - otros beneficios de AFDC, como cuidado de niños cuando los padres estén trabajando.
- Se le darán a su familia todos los pagos de mantenimiento de hijos que la Oficina del Fiscal del Distrito reciba para este niño, y no se contarán esos pagos como ingresos para fines de la asistencia monetaria.
- La regla del MFG siempre será pertinente para este niño a menos que su familia deje de recibir asistencia monetaria durante por lo menos 24 meses seguidos.

Así funciona la regla del MFG...

Una madre que tiene un hijo ha estado recibiendo asistencia monetaria por más de 10 meses seguidos. La madre tiene otro hijo que se suma al caso.

La regla antigua: el MAP de la familia aumenta.

La regla del MFG: el MAP de la familia no aumenta.

La regla del MFG no es pertinente...

- si su familia no ha recibido asistencia monetaria durante por lo menos dos meses seguidos durante los 10 meses anteriores al nacimiento de este niño.
- si este niño no vive con ninguno de los padres.
- para los niños concebidos por personas no necesitadas mientras estaban recibiendo asistencia para otro niño de su familia, como un sobrino o nieto.
- para ningún niño que fue concebido como resultado:

(1) de una violación o incesto:

Tiene que informar de la violación o el incesto antes de que pasen tres meses a partir del nacimiento del niño a:

- una oficina del orden público, o
- un profesional médico o de la salud mental, o
- una oficina de servicios sociales.

En caso de incesto, no se necesita hacer un informe si se ha establecido la paternidad.

(2) del malfuncionamiento de:

- un aparato colocado dentro de la matriz o del Norplant, o
- la esterilización de cualquiera de los padres.

Tiene que dar pruebas médicas del malfuncionamiento de cualquier método anticonceptivo mencionado arriba.

Si tiene alguna pregunta sobre la regla de MFG, pregúntele a su trabajador.

¿Está interesado en los servicios de planificación familiar?

Con los servicios de planificación familiar, usted puede...

- prevenir embarazos no planeados,
- planear cuándo tener su próximo hijo,
- escoger el método anticonceptivo que sea mejor para usted.

Los servicios de planificación familiar pueden ofrecer...

- productos anticonceptivos para los hombres y las mujeres,
- pruebas de embarazo,
- educación/asesoramiento,
- y más.

Mientras recibe asistencia monetaria, puede recibir los servicios de planificación familiar gratuitamente...

- de su plan regular de Medi-Cal para el cuidado de la salud, de su doctor regular, o de su clínica regular de la comunidad;
- de otros doctores o clínicas que acepten Medi-Cal.

Tiene derecho a ir al doctor o clínica que prefiera, aunque no sean parte de su plan para el cuidado de la salud.

Si quiere servicios de planificación familiar...

llame a su plan para el cuidado de la salud o a su doctor regular; o para obtener información y enterarse de dónde se ofrecen los servicios confidenciales de planificación familiar que se encuentran cerca de usted, **llame gratuitamente al: 1-800-942-1054.**